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Attorneys for Plaintiff
J & J SPORTS PRODUCTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

vs.

MANUEL F. PACIS, et al.

Defendants.

CASE NO. 5:08-cv-00326 JW

PLAINTIFF'S APPLICATION
FOR AN ORDER EXTENDING
TIME TO COMPLETE SERVICE;
AND CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE;
AND ORDER (Proposed)

TO THE HONORABLE JAMES WARE, THE DEFENDANTS, AND
THEIR ATTORNEY/S OF RECORD:

1. On January 17, 2008, Plaintiff's Complaint was filed against Defendants Manuel F. Pacis and Rosita T. Pacis, (hereinafter referred to as "Defendants").
2. As of this writing, Plaintiff has been unable to serve the suit papers on Defendants Manuel F. Pacis and Rosita T. Pacis because Plaintiff cannot determine a valid current address for service of process. Please see Plaintiff's Exhibit 1.

PLAINTIFF'S APPLICATION FOR AN ORDER EXTENDING
TIME TO COMPLETE SERVICE; AND ORDER (Proposed)

Respectfully submitted,

/s/ Thomas P. Riley

By: Thomas P. Riley, Esquire
Attorneys for Plaintiff
J & J Sports Productions, Inc.

III

ORDER (Proposed)

The Court, upon review of Plaintiff's request and representations presented in the above-entitled matter hereby orders the following:

Plaintiff is granted an additional ninety (90) days from today's date to effectuate service of the Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the alternative, a Notice of Voluntary Dismissal as Defendants Manuel F. Pacis and Rosita T. Pacis where service has not been made or service by publication requested.

It is further ordered that the Case Management Conference presently set for Monday, June 9, 2008 is hereby continued to _____.

Plaintiff shall serve a copy of this Order on Defendant Defendants Manuel F. Pacis and Rosita T. Pacis, and file a Certificate of Service of Order promptly thereafter.

IT IS SO ORDERED:

HONORABLE JAMES WARE
United States District Court Judge
Northern District of California

Date: _____

PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On May 30, 2008, I served:

**PLAINTIFF'S APPLICATION FOR AN ORDER EXTENDING TIME
TO COMPLETE SERVICE; AND CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE; AND ORDER (Proposed)**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Manuel F. Pacis (Defendant)
94 S. Dempsy Road
Milpitas, CA 95035

Rosita T. Pacis (Defendant)
94 S. Dempsy Road
Milpitas, CA 95035

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on May 30, 2008, at South Pasadena, California.

Dated: May 30, 2008

/s/ Terry Houston
TERRY HOUSTON

**PLAINTIFF'S APPLICATION FOR AN ORDER EXTENDING
TIME TO COMPLETE SERVICE; AND ORDER (Proposed)**

THOMAS P. RILEY, ESQ., Bar No.: 194706

(626) 799-9797

THOMAS P. RILEY, LAW OFFICES OF
1114 FREMONT AVENUE
SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref. No. or File No.

ATTORNEY FOR (Name)

PLAINTIFF

MANNYLA ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT
280 SOUTH FIRST STREET
SAN JOSE, CA 95113

PLAINTIFF/PETITIONER:

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT:

PACIS

NOT FOUND OR
NON SERVICE RETURN

DATE:

TIME:

DEPT/DIV:

CASE NUMBER:

C0800326JWHRL ADR

I am and was on the dates herein mentioned at least 18 years of age and not a party to this action. I received the within process on April 10, 2008 and that after due search, careful inquiry and diligent attempts, I have been unable to effect service as indicated below. Costs for attempted service are recoverable under CCP §1033.5 (a)(4)(B).

Documents:

SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES PACKAGE; U.S.D.C. NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE INFORMATION PACKAGE

Party Served: ROSITA T. PACIS, INDIVIDUALLY AND D/B/A MANNYLA ROSE RESTAURANT

Residence: Residence address was not known at the time of service.

Business: 1448 ACADIA AVENUE, MILPITAS, CA 95035

Process is being returned without service for the following reason(s):

April 15, 2008 12:50 pm BAD ADDRESS (RESIDENCE): 1448 ACADIA AVENUE, MILPITAS, CA 95035. THE GIVEN ADDRESS APPEARS TO BE VACANT.
April 18, 2008 RETURN TO CLIENT.

Person who served papers

R. GARDINER
ABSOLUTE SERVICE OF LOS ANGELES
1301 WEST SECOND STREET, SUITE 204
LOS ANGELES, CA 90026
(213) 481-7334

The fee for service was: \$25.00

I am: registered California process server.
independent contractor
Registration No.: 458
County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: April 21, 2008

R. GARDINER

THOMAS P. RILEY, ESQ., Bar No.: 194706

(626) 799-9797

THOMAS P. RILEY, LAW OFFICES OF

1114 FREMONT AVENUE

SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref No. or File No.

ATTORNEY FOR (Name)

PLAINTIFF

MANNYLA

ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT

280 SOUTH FIRST STREET

SAN JOSE, CA 95113

PLAINTIFF/PETITIONER:

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT:

PACIS

NOT FOUND OR
NON SERVICE RETURN

DATE:

TIME:

DEPT/DIV

CASE NUMBER:

C0800326JWHRL ADR

I am and was on the dates herein mentioned at least 18 years of age and not a party to this action. I received the within process on April 10, 2008 and that after due search, careful inquiry and diligent attempts, I have been unable to effect service as indicated below. Costs for attempted service are recoverable under CCP §1033.5 (a)(4)(B).

Documents: SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES PACKAGE; U.S.D.C. NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE INFORMATION PACKAGE

Party Served: MANUEL F. PACIS, INDIVIDUALLY AND D/B/A MANNYLA ROSE RESTAURANT

Residence: Residence address was not known at the time of service.

Business: 1448 ACADIA AVENUE, MILPITAS, CA 95035

Process is being returned without service for the following reason(s):

April 12, 2008 12:50 pm BAD ADDRESS (RESIDENCE): 1448 ACADIA AVENUE, MILPITAS, CA 95035. THE GIVEN ADDRESS APPEARS TO BE VACANT.
April 18, 2008 RETURN TO CLIENT.

Person who served papers

R. GARDINER

ABSOLUTE SERVICE OF LOS ANGELES

1301 WEST SECOND STREET, SUITE 204

LOS ANGELES, CA 90026

(213) 481-7334

The fee for service was: \$80.00

I am: registered California process server,
independent contractor

Registration No.: 458

County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: April 21, 2008

R. GARDINER